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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

LAFAYETTE DIVISION

WALLACE JONES

CIVIL ACTION NO. 6:15-CV-1816

v.

JUDGE DOHERTY

STATE OF LOUISIANA, ET AL.

MAGISTRATE JUDGE WHITEHURST

**MEMORANDUM RULING**

Currently pending before the Court is a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) [Doc. 30] filed by defendant, the Honorable Herman Clause, retired judge of the Fifteenth Judicial District Court for the State of Louisiana. Pursuant to the motion, defendant seeks dismissal of all claims brought against him, arguing: (1) the claims have prescribed, (2) plaintiff's claims are barred by the doctrine of judicial immunity, and (3) plaintiff's claims are barred by the *Rooker-Feldman* doctrine.<sup>1</sup> The motion is unopposed.<sup>2</sup>

The doctrine of judicial immunity protects a judge from suit for damages arising from judicial actions taken, unless such actions were taken in the complete absence of all jurisdiction. *Mireles v. Waco*, 502 U.S. 9, 11-12 (1991). As the actions complained of were taken in defendant's capacity as a judge, and there is no suggestion Judge Clause lacked jurisdiction over the underlying custody proceedings, the doctrine of judicial immunity bars plaintiff's claims against Judge Clause. For these

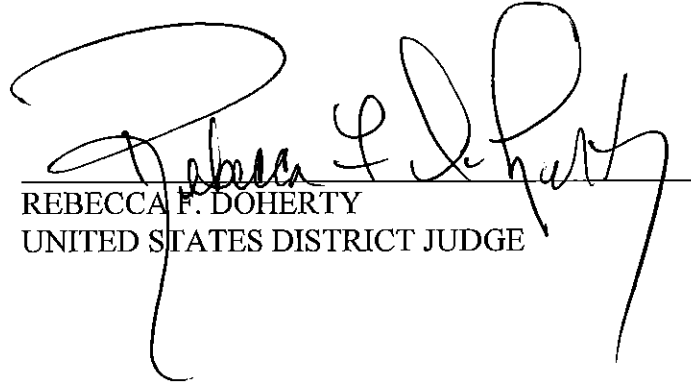
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<sup>1</sup>*Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983).

<sup>2</sup>See LR 7.5

reasons, the motion to dismiss [Doc. 30] is GRANTED, and plaintiff's claims against Judge Herman Clause are DISMISSED WITH PREJUDICE.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 28 day of September, 2016.



REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE